

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHELLE PAET,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS W. HERNDON, DISTRICT
JUDGE,

Respondents,

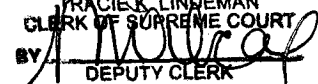
and

THE STATE OF NEVADA,
Real Party in Interest.

No. 68844

FILED

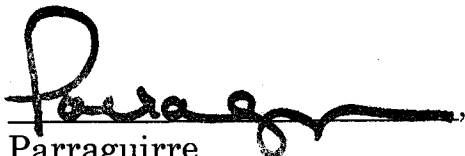
SEP 25 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of mandamus or prohibition challenges a district court order denying a motion to strike the notice of intent to seek the death penalty filed in the pending criminal prosecution of petitioner. We have considered the documents on file herein, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted at this time. NRS 34.160; NRS 34.330; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Accordingly, we deny the petition.

It is so ORDERED.¹

 J.
Parraguirre

 J.
Douglas

¹We deny as moot the motion to stay the trial pending this court's consideration of the petition.

CHERRY, J., dissenting:

I would grant the stay, order an answer to the petition, and set this matter for oral argument before the en banc court.²

Cherry, J.
Cherry

cc: Hon. Douglas W. Herndon, District Judge
Dayvid J. Figler
Law Office of Kristina Wildeveld
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²This writ petition raises an issue of first impression concerning the constitutionality of a death penalty aggravator, which is precisely the type of issue this court should entertain.